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United States House of Representatives
William O'Reilly-Chief Counsel
Committee on Standards of Official Conduct
HT-2, The Capitol
Washington DC, 20515

2008 JUN 18 A 10: 28

Federal Elections Commission
Office of General Counsel
999 E Street NW
Washington, DC 20463

MUR # 6026

Complaint: Representative Shelley Berkley's employee, Janet Churchill's outside employment with the Nevada State Democratic Party and the Clark County (NV) Democratic Party.

1. Since at least 2005, Ms Churchill has taken to paying herself an unauthorized salary without approval of either the Executive Board of the Nevada State Democratic Party, or the Executive Board of the Clark County Democratic Party. She is improperly 'triple-dipping' as Representative Berkley's employee, and a self paid staffer of the two largest Democratic organizations within Nevada--all without approval or signed agreement covering all such disbursements to Ms Churchill, by Ms Churchill, since she began this conduct. I believe this conduct may be considered embezzlement with express malice and malfeasance.
2. In 2007, according to FEC filings, Ms Churchill began refunding to herself her own travel expenses without prior approval of either board.
3. The Nevada State Democratic Party charter and by-laws make no such provision for paying officers or board members any salary or stipend, and expressly prohibits such conduct. The Nevada Revised Statutes also make no such stipend provision.
4. Ms Churchill serves as the elected Treasurer of both the state and county parties; the only such person in America to hold both positions in a party's largest jurisdictions. Ms Churchill is the only employee of a member of Congress to serve in such multiple and *highly conflicted* capacities.
5. Ms Churchill is responsible for official filings of both organizations under Nevada and federal law. Ms Churchill routinely uses her home address, rather than the official party

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address, and has had donations for the Nevada State Democratic Party from Representative Berkley's funds sent directly to her home address.

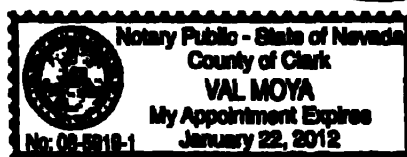
6. Ms Churchill's self paid, unauthorized earnings from the NSDP and the CCDP fall below the required federal thresholds for reporting requirements. However, this self paid, unauthorized arrangement within the Nevada organizations' is without precedent, or legal basis, and continues today unabated, and unapproved by either board.
7. That Ms Churchill remains employed by Representative Shelley Berkley, leaves an impression that Ms Berkley's hefty donations to the party's operations in Nevada are subsidizing, if not outright paying for without disclosure, her employee's self paid and unapproved draw from the Nevada State Democratic Party's, and the Clark County Democratic Party's respective funds. Ms Churchill's conduct leaves an indelible impression of embezzlement of county and party funds, with the tacit support of Representative Berkley, to the express benefit of Representative Berkley.
8. Ms Churchill being responsible for Ms Berkley's party donations also leave an impression that monies may be influenced to be disbursed to entities that may be favorable to the Congresswoman, or her donors, before other entities.

I respectfully request a review of these arrangements and seeming improprieties so that we may have resolution to these issues as soon as possible. I also request a full and complete FEC audit of the Nevada State Democratic Party's finances/filings from years 2005 through the most current filings.

Subscribed and sworn to before me on this 12 day of June, 2008

Michael Zahara
Nevada State Democratic Party
Former-Executive Board/Clark-at-Large
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Revised June 12, 2008

CLARK COUNTY, STATE OF NEVADA
Signed & sworn to before me
on June 12th, 2008 by
Michael Zahara -



NOTARY PUBLIC